REMARKS/ARGUMENTS

1.) Claim Amendments

Applicant has amended claims 22 and 37-40. Support for the amendments can be found in at least page 18, line 15 – page 20, line 2. Applicant respectfully submits no new matter has been added. Accordingly, claims 22-42 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Claim Rejections – 35 U.S.C. § 103 (a)

Claims 22-42 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Crudele, et al. (US 2002/0099726) ("Crudele") in view of Brown, et al. (US 7,203,886) ("Brown") and further in view of Weng (US 7,085,988) ("Weng"). While not conceding that the cited references qualify as prior art, but instead to expedite prosecution, Applicant has chosen to respectfully disagree and traverses the rejection as follows. Applicant reserves the right, for example, in a continuing application, to establish that the cited references, or other references cited now or hereafter, do not qualify as prior art as to an invention embodiment previously, currently, or subsequently claimed.

Applicant respectfully submits that Claims 22-42 are patentable because Crudele, Brown, and Weng, taken alone or in any permissible combination, fail to disclose, teach, or even suggest the elements of amended independent Claim 22, 37, 38, 39 and 40. For example, the cited references, taken alone or in any permissible combination fail to disclose, teach, or even suggest "receiving dedicated differential update instructions, wherein the dedicated differential update instructions comprise differential update instructions used to generate the updated data version and differential update instructions used to repair the data that is inconsistent with the first data version, and <u>the dedicated differential update instructions are generated in response to detecting the image of stored data in the flash memory of the mobile terminal includes one or more corrupted memory blocks having stored therein data that is inconsistent with the first data version</u>," as recited in the amended independent claims. In support of the rejection of a prior version of the claims, page 3 of the Non-

Final Office action states that "[w]hile Crudele does disclose that data integrity checks are important for delta updates, it does not specifically disclose repairing corrupted blocks." To correct this deficiency, the Non-Final Office Action combines with Crudele references from Brown and Weng. Weng is cited by the Non-Final Office Action for allegedly disclosing in-place ECC and Brown is cited by the Non-Final Office Action for the use of ECC to correct corrupt bits. However, the cited references fail to disclose, teach, or even suggest the generation of "dedicated differential update instructions" "in response to detecting ... the corrupted memory blocks having stored therein data that is inconsistent with the first data version," as recited in the amended independent claims. In other words, the dedicated differential update instructions, which include differential update instructions used to generate the updated data version and differential update instructions used to repair the data that is inconsistent with the first data version are tailored to the particular mobile terminal that the instructions are to be sent.

One with skill in the art would not even expect the cited references to disclose, teach, or even suggest the aforementioned elements of the amended independent claims because at least Brown discusses how to recover data from faulty memory through error correction. See, e.g., col. 3, lines 45-58 of Brown (referring to random soft-error accumulations due to alpha-particle disturbances) In stark contrast, the amended independent claims refer to comparing the actual content of the memory cell with the expected content of the memory cell. Thus, Crudele, Brown, and Weng fail to disclose, teach, or even suggest the elements of the independent claims and therefore, independent Claim 22, 37, 38, 39 and 40, and all claims dependent therefrom are patentable. Applicant therefore respectfully requests that the rejection be withdrawn.

3.) Prior Art Not Relied Upon

In paragraph numbered 1 on page 7 of the Office Action, the Examiner stated that the prior art made of record and not relied upon is considered pertinent to the Applicant's disclosure.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

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